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**REMARKS/ARGUMENTS** 

Please cancel claims 1-11, 26-32 and 38-42.

Please add the aforementioned claims 43-45.

In response to the restriction requirement, applicant elects Invention II, claims 12-25, 33 and 34. Claims 43-45 have been added and are drawn to the elected invention.

Applicant traverses the restriction requirement to the extent that it requires restriction between Invention II (tool or power tool) and all of Inventions III (power drill), IV (power sander) and V (power saw). Applicant submits that a tool is generic to a drill, sander or saw, as evidenced by the fact that claims 25 and 26, which are directed to a drill and sander respectively, depend on claim 14 directed to a tool, and were included by the examiner in the grouping of claims included in Invention II.

As such, it is respectfully submitted that in addition to Invention II, applicant is entitled to examination of claims directed to at least one of Inventions III, IV or V. In particular, applicant requests that claims 25 and 35-37 drawn to Invention III (power drill) be examined along with the claims directed to Invention II. All other original claims, including dependent claim 26 directed to a sander, have been cancelled by this amendment, thereby obviating the restriction requirement with respect to Inventions I, IV and V.

Respectfully submitted,

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October 15, 2004

Date

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